GOP.gov

HOUSE REPUBLICAN CONFERENCE

J.C. WATTS, JR.
CHAIRMAN
4th District, Oklahoma

Reforming Washington
Securing America's Future

Legislative Digest

Week of June 26, 2000 | Vol. XXIX, #18, June 25, 2000

Monday, June 26

The House will meet at 12:30 p.m. for morning hour and 2:00 p.m. for Legislative Business
(No votes before 6:00 p.m.)

**** Eight Suspensions**

****One Bill Under a Rule:**

H.R. 4069	FY 2001 Commerce, Justice, State, the Judiciary and Related Agencies Appropriations Act (See *Leg. Digest*, Vol. XXIX, #17 Pt. IV, June 16, 2000)

Tuesday, June 27 and the Balance of the Week

The House will meet at 9:00 a.m. for Morning Hour and 10:00 a.m. for Legislative Business
On Wednesday and Thursday the House will meet at 10:00 a.m. for Legislative Business
On Friday the House will meet at 9:00 a.m. for Legislative Business
(On Friday No Votes are Expected After 2:00 p.m.)

**** Seven Suspensions**

Subject to a rule

⇨To be published in a future issue of the *Legislative Digest*

Eric Hultman: *Managing Editor*
Brendan Shields: *Senior Legislative Analyst*

Courtney Haller, Jennifer Lord
& Greg Mesack: *Legislative Analysts*

GOP.gov

HOUSE REPUBLICAN CONFERENCE

Legislative Digest

Presidential Threat Protection Act of 2000

H.R. 3048

Committee on the Judiciary
No Report Filed
Introduced by Mr. McCollum on October 8, 1999

Floor Situation:

The House is scheduled to consider H.R. 3048 under suspension of the rules on Monday, June 26, 2000. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R 3048 expands the authority of the U.S. Secret Service to investigate threats made against ex-presidents, major presidential and vice-presidential candidates and their immediate families and extends Secret Service protective coverage to high-ranking foreign officials during visits to the United States. The bill does this by removing the requirement that the Secret Service be protecting an individual specified in the statute governing the Secret Service before it is able to investigate a threat against that person. This change allows the Service to investigate a threat against the President, Vice President, their families, former presidents and their families, and candidates for President and Vice President and their families, as well as certain visiting dignitaries, even if it is not currently protecting those persons.

H.R. 3048 also gives the Secret Service the ability to coordinate security for an event of "national significance" if so directed by the President, even if no person the service is protecting will be at the event. The President can designate an event of national significance and the Treasury Secretary will decide whether or not the Secret Service will participate in the event. However, the committee specified that this section of the bill is not intended to authorize the Service to act as the lead federal agency in all aspects of such an event and is not intended to give the Service the authority to usurp the authority of other federal agencies to conduct crisis or consequence management with respect to such an event.

Furthermore, the bill gives the Treasury authority to establish a National Threat Assessment Center within the Secret Service to provide training of state and local law enforcement officers and to conduct research and share information on threats made against public officials and facilities. Currently the Service does not have the authority to share its expertise in threat assessment with other agencies.

Lastly, H.R. 3048 also grants Secret Service the ability to obtain administrative subpoenas for use in their investigations. The only agency currently allowed to issue administrative (limited subpoenas issued by the Attorney General for information), is the Justice Department. These subpoenas can only be issued by the Justice Department in relation to crimes involving drugs, federal health care investigations or the sexual exploitation or abuse of children. The measure allows the Treasury Secretary to issue an administrative subpoena for investigations of threats:

- against the President, Vice President, and their spouses or immediate families;

- against former presidents and their spouses,
- against candidates for President or Vice President, their spouses and immediate families;
- against visiting foreign heads of state or other distinguished foreign visitors protected by the Secret Service.

In order to protect the rights of citizens the bill limits the subpoena power to production of records and other things relevant to an investigation. The only testimony the administrative subpoena can be used to produce is that of the custodian of subpoenaed records and the subpoena cannot be construed to require anything that would be protected by a subpoena issued by a subpoena *duces tecum* issued by a United States court. Under the bill, whenever the Treasury Secretary issues an administrative subpoena he is required to notify the Attorney General, though the Attorney General is not required to approve the subpoena. The bill consolidates the asdministrtive subpoena power of the Secret Service and the Justice department together under one section of the United States Code.

The bill also adds computers and other devices used for counterfeiting to the civil and judicial forfeiture provisions of federal law.

Background:

Under current law, ex-presidents and vice-presidents and their spouses are entitled to Secret Service protection for 10 years after leaving office, after which the Federal Bureau of Investigation is responsible for investigating threats to the former officeholders. H.R. 3048 shifts that responsibility to the Secret Service after the 10 years has elapsed. Former presidents and vice-presidents live active and fairly high visible lives after they leave office and the number and nature of threats to them and their families has increased. It was felt that since the Secret Service has considerable experience protecting our top officials it should continue to do so for the entire period after they leave office. Furthermore, under current law, the Secret Service only has the authority to investigate threats against candidates, and his or her spouse, for President and Vice President, and does not have the authority to investigate threats against their immediate family. Some Congressman believe that it is not enough to protect just the candidates and their spouses, and that to truly protect them the rest of their immediate family must be protected as well.

Costs/Committee Action:

The Committee reported the bill by voice vote on May 24, 2000.

The CBO estimates that H.R. 3048 will have no major impact on the federal budget.

Greg Mesack, 226-2304

Title 11, Chapter 12 (Farm Bankruptcy) Extension

H.R. 4718

Committee on the Judiciary
No Report Filed
Introduced by Mr. Smith (MI) and Mr. Gekas (PA)

Floor Situation:

The House is scheduled to consider H.R. 4718 under suspension of the rules on Monday, June 26, 2000. It is debatable for 40 minutes, may not be amended and requires a two-thirds majority vote for passage.

Summary:

H.R. 4718 extends for an additional three months (from July 1, 2000 to October 1, 2000) chapter 12 of title 11 of the United States Code providing for farm bankruptcies. Chapter 12 has not enjoyed permanent status in the law since its initial enactment in 1986. Without this extension of chapter 12, farmers who face financial hardship and may need to consider bankruptcy as a last resort would be denied the ability to file under the special provisions of chapter 12. Pending bankruptcy legislation (H.R. 833) now in conference between the House and Senate will make chapter 12 permanent. However, until enactment of that legislation, H.R. 4718 is necessary to extend the law beyond July 1, 2000, its current expiration date.

CBO/Committee Action:

A CBO cost estimate was not available at press time.

The bill was not considered by a committee.

Eric Hultman, 226-2304

Radiation Exposure Compensation Act Amendments

S. 1515

Committee on the Judiciary
No Report Filed
Introduced by Senator Hatch on August 5, 2000

Summary:

S. 1515 makes a number of amendments to the Radiation Exposure Compensation Act (RECA) of 1990 (*P.L. 101-426*) in order to expand the compensation of benefits to include new forms of cancers and other diseases that have been linked to radiation exposure since the law was introduced. Specifically the amendments add:

- Lung, brain, colon, ovary, bladder and salivary gland cancers to the list of those that are linked to radiation exposure

- specific non-cancer diseases such as silicosis to the list of those that are incorporated in the act

- Miners, millers and uranium ore transporters in 11 western states to the list of those able to seek compensation for illness related to radiation exposure related to the development of a nuclear defense program.

The bill changes RECA to offer compensation to people who were unintentionally exposed to radiation, nicknamed "downwinders." The measure specifies that individuals must (1) have lived in certain Utah, Nevada and Arizona counties; (2) lived in these areas between January 15, 1951 and October 31, 1958, or July 1962; and (3) must have one of the lymphomas, leukemia, or primary cancers listed in the amended act (smokers are eligible for consideration). Those who lived in the areas for a minimum of one year are eligible for $50,000 if they have a documented disease, and those who lived in areas that participated in atmospheric tests and have a documented disease are eligible for $75,000.

S. 1515 also modifies RECA to increase the number of people available for compensation and to make it easier for them to apply. The bill makes those individuals who worked in aboveground, underground, or open-pit uranium mines, uranium mills, or individuals who transported uranium ore in one of eleven western states for a specified period of time between January, 1942 to December, 1972 eligible for $100,00 in compensation. Some of the improvements in the amendments include:

- Expanding the number of states eligible for compensation
- Changing the number of months an individual who develops lung cancer, or other radiogenic pathologies must have worked to be eligible for compensation from 200 working level months (WLM) to 40 WLM
- Expanding the definition of "medical written documentation" to include: (1) arterial blood gases, (2) a chest x-ray read by two certified "B" readers, (3) an interpreted high resolution computer tomography scan (CAT, MRI pr PET), (4) a qualified physicians written diagnosis, (5) pathology reports of tissue biopsies, and (6) pulmonary function tests

Also, the bill provides respect for Native American Law when processing claims. In addition, S. 1515 amends Title IV of the Public Health Services Act to authorize the HHS Secretary to make grants totalling $20 million annually to cancer and community health centers, as well as state health department to carry out screening programs for eligible individuals, provide medical referrals, educate people on radiogenic cancers and prevention, and facilitate documentation for RECA claims. Lastly, the bill makes a number of small changes designed to make claims application and processing easier.

Background:

During the early years of the Cold War, when the United States and Russia were developing their nuclear arsenals, the United States embarked on an ambitious nuclear development program that involved numerous nuclear tests and large scale uranium mining. These tests involved aerial testing, under ground tests, and tests at sea. Little was known about the harmful effects of radiation to those who mined and milled the radioactive material, handled the materials in making nuclear weapons, and those who lived in proximity to the testing areas. Years later, after much of the testing was halted and uranium mining all but ceased, dramatic gains were made in the knowledge of how harmful radiation can be to the human body. It became apparent that those who were harmed by the nuclear weapons development and testing program should be compensated for their sacrifice.

In an attempt to do this Senator Orrin Hatch introduced the Radiation Exposure Compensation Act in 1990. Since the law was enacted approximately 6,000 people have been compensated for their injuries. However, findings by the Senate Labor and Human Services Committee demonstrated that since the enactment of RECA its regulatory burdens have made it too difficult for some individuals to be fairly and efficiently compensated. Furthermore, the dramatic strides made in cancer diagnosis and treatments have increased our knowledge about the breadth of cancers and diseases that are linked to radiation exposure. For example, it was realized that miners who worked in federal government uranium mining from 1941 to 1971 also should be compensated for the potential damage caused by their work.

These realizations led to the introduction of S. 1515 which expands the coverage of RECA, as well as streamlining its application process.

Costs/Committee Action:

CBO estimates that implementing S. 1515 would result in additional discretionary spending of about $750 million over the 2000-2005 period. About $650 million of this total would be for compensation payments to individuals for radiation exposure, and the remainder would be spent on HHS grant programs. Because S. 1515 would not affect direct spending or receipts, pay-as-you-go procedures would not apply.

S. 1515 was passed by unanimous consent in the Senate on November 19, 1999 and referred to the House where the Judiciary Committee reported it by voice vote on May 24, 2000.

Greg Mesack, 226-2305

Pribilof Islands Transition Act

H.R. 3417

Committee on Resources
H. Rept. 106-569
Introduced by Mr. Young on November 17, 1999

Floor Situation:

The House is scheduled to consider H. R. 3417 under suspension of the rules on June 26, 2000. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 3417 establishes the framework for the National Oceanic and Atmospheric Administration (NOAA) to complete the cleanup and transfer of property on the Pribilof Islands to local entities, and to complete the agency's withdrawal from the civil administration of the Islands. H.R. 3417 amends the Fur Seal Act of 1966, and sets up a system for localized control for Natives on the Pribilof Islands. This bill authorizes grants for local groups on St. Paul and St. George, the island's two inhabited islands, as well as to the State of Alaska, for community development and building solid waste treatment facilities. The bill allows the NOAA to continue to manage fur seal populations on the Pribilof Islands.

Background:

The Pribilof Islands is a group of five islands, populated by approximately 800 Native Alaskan people, that are located in the Bering Sea, 800 miles south- southwest of Anchorage, Alaska. The area is the breeding ground for the North Pacific Fur Seal. In the late 1700's, the Islands were discovered by Russian fur traders who, in turn, enslaved the native population, and began to aggressively harvest the seal furs. After the United States purchased the Alaskan region in 1867, it contracted with private companies to continue the seal harvest. Some estimates state that American profits generated over the next twenty-year period are equivalent to the Alaskan purchase price.

In the beginning of the 20th century it appeared that the number of North Pacific Fur Seals was dwindling. In 1910, Congress mandated the Secretary of Commerce and Labor to manage and protect fur seals. This law mandated that this agency provide basic essentials as well as education and protection to the inhabitants of the Pribilof Islands.

The Fur Seal Act of 1966 established policies that reduced the number of fur seals that were allowed to be harvested. The law compensated for the Native's lost revenue through public assistance and establishing municipalities. In the years to follow, the NOAA and other government entities carried out many development activities. This community development included property clean-up and the construction of two harbors. The primary objective of the NOAA was to make the islands self-sufficient without additional harvesting of the North Pacific Fur Seal.

Costs/Committee Action:

CBO estimates that implementing H.R. 3417 would cost the federal government about $67 million over the next five years. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

The Committee on Resources reported the bill by voice vote on April 11, 2000.

Jennifer Lord, 226-7860

Neotropical Migratory Bird Conservation Act

S. 148

Committee on Resources
H.Rept. 106-36
Introduced by Sen. Abraham on January 19, 1999

Floor Situation:

The House is scheduled to consider S. 148 under suspension of the rules on June 26, 2000. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

S. 148 requires the U.S. Fish and Wildlife Service (USFWS) to establish a program to assist conservation efforts for neotropical migratory birds in the U.S., Caribbean, and Latin American countries.

S. 148 authorizes $8 million annually (through FY 2000) in financial assistance to eligible government agencies, organizations, and private groups that aide in conserving neotropical migratory birds. Furthermore, it establishes a Neotropical Migratory Bird Conservation Account in the U.S. Treasury, into which monies donated to the government and monies appropriated by Congress will be deposited. The measure also authorizes the USFWS to establish a seven-member advisory group to assist the agency overseeing this grant program. However, no more than six percent of appropriated funds may be used for administrative costs.

Neotropical migrants are birds that travel between the U.S., Mexico, Central America, much of the Caribbean, and the northern part of South America. Through bilateral treaties, the U.S. is responsible for the maintenece of over 800 game and nongame species of migratory birds.

Costs/Committee Action:

For the purposes of developing and administering the program and making grants, S. 148 would authorize the appropriation of $8 million annually for fiscal years 2000 through 2003. Because the bill would authorize the USFWS to accept and spend donations without further appropriation, pay-as-you-go procedures would apply. CBO estimates, however, that any new revenues and resulting direct spending would be insignificant and largely offsetting.

S. 148 passed the Senate by unanimous consent on April 13, 1999. The bill was received in the House on April 14, 1999.

Jennifer Lord, 226-7860

Reauthorize the Atlantic Striped Bass Conservation Act

H.R. 4408

House Committee on Resources
No Report Filed
Introduced by Mr. Saxton on May 9, 2000

Floor Situation:

The House is scheduled to consider H.R. 4408 under suspension of the rules on Monday, June 26, 2000. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 4408 reauthorizes the Atlantic Striped Bass Conservation Act and authorizes $1 million for the Secretary of Commerce and $250,000 for the Secretary of Interior to continue the program for fiscal years 2001-2003.

Atlantic striped bass are found along the U.S. East Coast, Chesapeake Bay, Mid-Atlantic, and New England States. Striped bass spend the majority of their lives in saltwater but return to freshwater to spawn. Because of the migratory patterns of the fish, the management of striped bass is subject to the regulation of many states. By the late 1970's, heavy fishing activity combined with habitat degradation and other poorly understood factors caused the population to dramatically fall. In 1979, Congress first authorized the Emergency Striped Bass Study as part of the Anadromous Fish Conservation Act to address the problem of declining striped bass stocks. This legislation was later expanded by the Atlantic Striped Bass Conservation Act of 1984 which ensured that the states would comply with a coast-wide fishery management plan. These policies have allowed the population to recover but the causes of the huge population fluctuations remain poorly understood.

Costs/Committee Action:

H.R. 4408 was reported by the Resources Committee by voice vote on June 7, 2000.

At press time the CBO had not released a cost estimate on the measure.

Kimberly Torrence, 226-2302

To Establish the Rosie the Riveter-World War II Home Front National Historical Park

H.R. 4063

Committee on Resources
No Report filed
Introduced by Mr. George Miller *et al.* on March 22, 2000

Floor Situation:

The House is scheduled to consider H.R. 4063 on Monday, June 26, 2000, under suspension of the rules. The bill is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 4063 creates a historic park in Richmond, CA, dedicated to Rosie the Riveter and the WWII Home Front. This park would be dedicated to the role the home front played in supporting American troops and contributing to their success in WWII. The bill makes Richmond, CA, the national center for historical education about this period in American history.

Background:

A recent National Parks Service study concluded Richmond offers a collection of historical structures of national significance and would be one of the best Home Front sites in the Pacific Coast states.

Cost/Committee Action:

A CBO cost estimate was not available at press time.

The Resources Committee reported H.R. 4063 by voice vote on June 20, 2000.

Courtney Haller, 226-6871

Church Plan Parity and Entanglement Prevention Act

S. 1309

No report filed
Introduced by Sen. Sessions on June 30, 1999

Floor Situation:

The House is scheduled to consider S. 1309 on Monday, June 26, under suspension of the rules. This measure is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

This legislation clarifies that a church plan is a single employer plan for the purposes of applying to state insurance laws and that church welfare plans are not engaged in the business of insurance for purposes of state insurance laws that relate to licensing, solvency, or insolvency. Finally, this legislation allows networks and insurance companies to offer to church plans the same services they offer to employer sponsored programs.

Background:

Most major religious denominations in the United States have established health and pension programs for their clergy and lay workers. Many of these "church plans" are established on a denomination-wide basis, are subject to denominational law, and operate under detailed charters adopted by each denomination's governing body or assembly. A benefits board is responsible for overseeing the investment of plan assets, in accordance with investment policies consistent with the denomination's religious convictions, and for protecting the interests of plan participants and the church as a whole.

Because church plans are exempt from the Employee Retirement Income Security Act of 1974 (EIRSA), they do not benefit from the explicit preemption of state insurance regulation granted secular self-insured health plans. The clouded legal status of church plans under state law has lead some service providers to be unwilling at times to contract with self-insured church health plans. In order to comply with recent federal mandates on church plans—portability and accessibility rules, and the mental health and maternity stay requirements—an increased need to contract with numerous service providers has arisen. In order to more easily obtain these services, there is a growing urgency within the church benefits community to clarify the regulatory status of church plans.

Provisions:

S. 1309 clarifies the status of church plans under state law and addresses the problem of health insurance issuers refusing to do business with church plans because of concern that church plans could be classified as unlicensed entities. The bill further clarifies that a church welfare plan is considered to be sponsored by a single employer that does not engage in the business of insurance for purposes of state insurance laws. Network providers and insurance companies may establish the same contractual relationship with a church plan as they are permitted to establish with any single employer plan covered under EIRSA in that state. Finally, S. 1309 exempts church welfare plans from state licensing requirements while preserving state authority to enforce insurance law provisions that remain applicable to church plans.

Cost/Committee Action:

S. 1309 does not affect direct spending; so pay-as-you-go provisions do not apply.

The bill was not considered by a committee.

Views:

The Republican Leadership supports passage of S. 1309. At press time, an official statement from the Clinton Administration was not available.

Courtney Haller, 226-6871

Placing a Statue of Chief Washakie, Presented By the People of Wyoming, in National Statuary Hall

H.Con.Res. 333

Committee on House Administration
No Report Filed
Introduced by Ms. Cubin on 5/23/2000

Floor Situation:

The House is scheduled to consider H.Con.Res. 333 under suspension of the rules on Tuesday, June 27, 2000. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H. Con. Res. 333 provides that (1) the statue of Chief Washakie, provided by the people of Wyoming for placement in National Statuary Hall is accepted in the name of the United States, and the thanks of the Congress are extended to the people of Wyoming for providing this commemoration of one of Wyoming's most eminent personages; (2) the State of Wyoming is authorized to use the rotunda of the Capitol on September 7, 2000, at 11:00 AM, for a presentation ceremony for the statue; and (3) the statue shall be displayed in the rotunda of the Capitol for a period of not more than 6 months, after which period the statue shall be moved to its permanent location in National Statuary Hall.

Background:

A leader of the Eastern Shoshone Indians of Wyoming, Chief Washakie was noted for his friendship with American pioneers. By allowing the Oregon and Mormon Trails to pass through Shoshone lands, he greatly contributed to the settlement of the west. When wagon trains were passing through Shoshone country in the 1850s, Chief Washakie and his people aided the overland travelers in fording streams and recovering strayed cattle. His work as a scout for the U.S. Army allowed him to become the only chief to be awarded a full military funeral upon his death.

Costs/Committee Action:

The measure was not considered by a committee.

John DeStefano, 226-2302

Expressing the Sense of Congress that the States Should More Closely Regulate Interest Rates on Title Pawns and Loans

H. Con. Res. 312

Committee on Banking and Financial Services
No Report Filed
Introduced by Mr. Shaw on April 13, 2000

Floor Situation:

The House is scheduled to consider H. Con. Res. 312 under suspension of the rules on Tuesday, June 6, 2000. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H. Con. Res. 312 expresses the sense of the Congress that states should more closely regulate title pawn transactions and forbid the imposition of high interest rates on title loans to consumers.

Title loan lenders make title loans and title pawns to consumers by attaining the consumer's automobile title as collateral. These loans are often offered at high rates of interest some as high as 300 percent per year. Many borrowers are forced into deeper debt because of these exploitive lending practices and ignorance of applicable rates. Title loans and pawns prevent many consumers from holding jobs since default on the loan or pawn will result in repossession of their car resulting in the consumer's inability to get to and from work. This industry is rapidly expanding. Sixteen states have already taken measures to protect their citizens, consistent with traditional practice of U.S. laws against usurious financing rates and lending practices.

Sarah Buzby 226-2302

Expressing the Sense of the House of Representatives that the Ohio State Motto is Constitutional

H. Res. 494

Committee on Judiciary
No Report Filed
Introduced by Mr. Oxley on May 4, 2000

Floor Situation:

The House is scheduled to consider H. Res. 494 under suspension of the rules on Monday June 26, 2000. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H. Res. 494 expresses the sense of the House that the Ohio State motto is constitutional and urges the courts to uphold its constitutionality. The Ohio State motto makes reference to God and Providence, which will continue to be accepted as long as the expressions are consistent with American tradition. A three-judge panel of the United States Court of Appeals for the Sixth Circuit found the Ohio State motto to be unconstitutional. The House supports the references to divine power in various national mottos as long as they are within the American tradition and within the Constitution.

The official state motto of the State of Ohio, "With God All Things Are Possible," has been the State motto since 1959. The motto was not intended to establish, promote or discriminate against any specific set of religious beliefs. Instead, it was intended to instill hope, humility and positive values into the people of Ohio. The motto remains consistent with the American tradition of seeking spiritual guidance, which was a founding principle of the Nation. In 1864, the United States Congress made the motto 'In God We Trust' the national motto and the State constitutions or preambles of 45 States make explicit reference to a divine power.

Committee Action:

The Committee on Judiciary reported the bill by voice vote.

Sarah Buzby 226-2302

Designating the "James H. Quillen United States Courthouse"

H.R. 4608

Committee on Transportation
No Report Filed
Introduced by Ms. Cubin on 5/23/2000

Floor Situation:

The House is scheduled to consider H.R. 4608 under suspension of the rules on Tuesday, June 27, 2000. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R.4608 designates the United States courthouse located at 220 West Depot Street in Greeneville, Tennessee, as the 'James H. Quillen United States Courthouse'.

Background:

Elected a United States Congressman in 1962, James H. "Jimmy" Quillen represented the first district in Tennessee for 34 years, retiring in 1996. He has been described as a politician who was more interested in getting things accomplished for his district and his constituents than he was in playing partisan politics. He helped to establish what is now the James H. Quillen College of Medicine at Eastern Tennessee University. In 1995, Quillen was named the first-ever House committee chairman *emeritus*, when he was given that title as Chairman of the Rules Committee.

John DeStefano, 226-2302

Federal Protective Service Reform Act of 2000
H.R. 809

Committee on Transportation
H.Rept. 106-676
Introduced by Mr. Traficant on February 23, 1999

Floor Situation:

The House is scheduled to consider H.R. 809 under suspension of the rules on Tuesday, June 27, 2000. The bill is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 809, the Federal Protective Service Reform Act of 2000, amends the original Act of June 1, 1948, giving the special police force of the General Services Administration (GSA), which is called the Federal Protective Service (FPS), expanded powers. The bill extends the jurisdiction of those special policemen to a radius of 500 feet from any federal property. In the area around the federal property, the special officers will have the same power as state and local law enforcement people have in that region. This means that special officers in the GSA will be able to carry firearms, petition Federal courts for arrest and search warrants, make arrests without a warrant, make investigations on and off the property, and work with other law enforcement personnel to solve crimes and share intelligence information. Special investigative agents within the GSA will have the same authority as police officers both on and off the federal property. The act also increases the maximum penalty for violations committed on federal property.

This bill authorizes the GSA Administrator to establish the Federal Protective Service (FPS) as a separate operating service of the organization. The FPS will be chaired by an administrator appointed Commissioner who has had 5 or more years of command or supervisory law enforcement experience. This Commissioner will assist the GSA Administrator, be the principal U.S. law enforcement officer and security official on federal property, assist other Federal, State and local policing authorities when requested, and work closely with the Commissioner of the Public Buildings Service to protect federal property. This bill also dictates that FPS officer and investigator pay be similar to what is given to U.S. Secret Service Uniformed Division members.

One year after the Act comes into effect, the Administrator must have at least 730 full-time police officers in the FPS force. This number cannot be reduced unless specifically authorized by law. Within this one-year period, the Controller General must carry out a study that will determine the feasibility of merging all building security forces of the executive branch within and under the FPS's supervision. The bill requires that the newly created FPS Commissioner determine criteria for hiring and training security personnel for federal property.

Background:

The Federal Protective Service (FPS) was established in 1790. In the years to follow, the FPS was a part of many different agencies. In June of 1948, Congress changed the transient nature of the organization by making it part of the newly created General Services Administration (GSA). The GSA placed the Federal Protective Service (FPS) in a newly created a subsection called the Public Buildings Service (PBS) in 1949.

The initial task of the FPS was protection, but in the first years in the General Services Administration (GSA), this included everything from fighting fires to administering first aid. The protests and rioting of the 1960's expanded the organization's powers to maintaining protest crowd control and protecting buildings from vandalism and bombing. The actual power of the FBS officers has never been clearly defined. In the last thirty years, drastic Federal staff reductions have greatly reduced their workforce. Many of these workers were replaced by contract security personnel. In this same period of time, Public Buildings Service (PBS) areas have grown by 70 million square feet of space.

The tragic 1995 bombing of Oklahoma City's Murrah Federal Building catalyzed the President to have the United States Marshals Service conduct a study to determine the vulnerability of federal property. The study determined that the buildings were vulnerable to violence and that better policing standards and a larger permanent FPS force should be maintained to facilitate the protection.

Costs/Committee Action:

CBO estimates that implementing H.R. 809 would increase the FPS's costs by a total of about $10 million over the 2001-2005 period, assuming appropriation of the necessary amounts. Because enacting the bill could affect direct spending and receipts, pay-as-you-go procedures would apply; however, CBO estimates that any impact on direct spending and receipts would not be significant.

The bill was reported by voice vote by the Committee on Transportation on June 14, 2000.

Jennifer Lord, 226-7860

Designating the “Adrian A. Spears Judicial Training Center”
H.R. 1959

Committee on Transportation
No Report Filed
Introduced by Ms. Gonzales on 5/23/2000

Floor Situation:

The House is scheduled to consider H.R. 1959 under suspension of the rules on Tuesday, June 27, 2000. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R.4608 designates the Federal building located at 743 East Durango Boulevard in San Antonio, Texas, as the Adrian A. Spears Judicial Training Center.

Background:

Judge Adrian Spears moved to San Antonio in 1937 after practicing law for three years in South Carolina. He practiced there until 1961, when he was appointed a U.S. District Judge. He became Chief Judge of the Western District in Texas in 1962 and held that post until 1979. Current law prohibits anyone from serving in that capacity for more than seven years, so the 17 years he served as Chief Judge is not likely to be surpassed by anyone. When he retired from the bench in 1982 he took a position as Vice President of Tetco, a Texas oil company. Judge Spears passed away on May 9, 1991.

John DeStefano, 226-2302

Designating the "Floyd H. Flake Federal Building"
H.R. 3323

Committee on Transportation and Infrastructure
No Report Filed
Introduced by Mr. Meeks on November 10, 1999

Floor Situation:

The House is scheduled to consider H.R. 3323 under suspension of the rules on Tuesday June 27, 2000. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority for passage.

Summary:

H.R. 3323 designates the Federal building located at 158-15 Liberty Avenue in Jamaica, Queens, New York, as the "Floyd H. Flake Federal Building." Floyd H. Flake served with distinction as a New York Congressman of the U.S. House of Representatives from 1986 until his resignation in 1997. While in office he sponsored legislative initiatives to revitalize urban, commercial and residential areas. Mr. Flake received the Doctor of Ministry Degree from the United Theological Seminary in Ohio and has acted as senior pastor of the 10,000-member Allen African Methodist Episcopal Church in Jamaica, Queens, New York for the past 21 years. In this role, Mr. Flake has become one of the nation's most productive people regarding religious and urban development institutions.

The Committee on Transportation and Infrastructure reported the vote by voice vote on June 22, 2000.

Sarah Buzby 226-2302

FY 2001 Energy and Water Development Appropriations Act

H.R. ___

Committee on Appropriations
H.Rept. 106-___
To be submitted by Mr. Packard on June 26, 2000

Floor Situation:

The House is scheduled to consider H.R.___ on Tuesday, June 27, 2000. The Rules Committee is scheduled to meet on the bill at 5:00 p.m. on Monday, June 26. Additional information on the rule and potential amendments will be provided in a *FloorPrep* prior to floor consideration.

Highlights:

H.R.___ appropriates $21.7 billion in new budget authority for FY 2001 for the Department of Energy, Army Corps of Engineers, and related programs, $546 million more than in FY 2000 and $952 million less than the president's request. The vast majority of the bill's funding, $17.3 billion, is allocated to various programs run by the Department of Energy (DOE), $687 million more than the FY 2000 level and $853 million less than the president's request.

In addition, the measure appropriates $4.1 billion for the Army Corps of Engineers, $3 million less than in FY 2000 and $60 million more than the president's request, to maintain and expand the nation's waterway, flood control, and irrigation infrastructure. Finally, the bill allocates $770 million to the Interior Department, mostly for the Bureau of Reclamation, and $108 million for related independent agencies.

This fiscal year, the subcommittee received two separate 302b allocations. One for non-defense activities, totaling $8.9 billion, ($220 million below FY 2000 levels and $761 million below the president's request) and one for defense related activities totaling $12.9 billion ($756 million more than FY 2000 and $191 million less than the president's request). Also, in the defense related activities allocation, this is the first time the National Nuclear Security Administration (NNSA) has been funded. It was created in last year's defense authorization to streamline the Department of Energy's authority structure so accountability could be established and to better safeguard our nation's nuclear secrets after the endemic security lapses reached a crescendo during the Chinese espionage investigation. The NNSA is responsible for maintaining the nuclear weapons stockpile, supporting international nonproliferation programs, and funds the naval reactor program.

Provisions:

Title I — Department of Defense, Army Corps of Engineers

H.R.___ appropriates $4.1 billion for the Army Corps of Engineers, $3 million less than in FY 2000 and $60 million more than the president's request. For more than 170 years, the Army Corps of Engineers has maintained and operated harbors and shipping routes along inland waterways, controlled floods and erosion, and managed much of the nation's water resources infrastructure.

Energy and Water Appropriations, FY 2001

Appropriation Account	FY 2000 Level	President's Request	**FY 2001 Proposal**	% Change from Last Year	% Change from Request
	(in millions)		(in millions)		
Department of Defense					
Army Corps of Engineers	$4,126.6	$4,063.7	$4,123.6	-0.1%	+1.5%
Department of the Interior					
Completion of Central Utah Project	$39.2	$39.9	$39.9	+1.8%	0.0%
Bureau of Reclamation	$766.6	$801.0	$730.5	-4.7%	-8.8%
Department of Energy	$16,606.9	$18,146.2	$17,293.4	+4.1%	-4.7%
Independent Agencies					
Appalachian Regional Commission	$66.1	$71.4	$63.0	-4.8%	-11.8%
Delta Regional Authority	$0.0	$30.0	$0.0		
Denali Commission	$19.9	$20.0	$0.0		
Defense Nuclear Safety Board	$16.9	$18.5	$17.0	+0.4%	-8.1%
Nuclear Regulatory Commission	$22.9	$34.1	$24.8	+8.2%	-27.2%
Nuclear Waste Technical Review Board	$2.6	$3.2	$2.7	+4.3%	-15.6%
Subtotal, Independent Agencies	$128.5	$177.2	$107.5	-16.3%	-39.3%
Recissions	-$20.7	-$85.0	-$85.0		
Scorekeeping Adjustments	-$450.1	-$448.2	-$467.0	+3.8%	+4.2%
TOTALS	$21,197.0	$22,694.8	$21,743.0	+2.6%	-4.2%

Source: House Appropriations Committee

General Investigations. The bill provides $153 million for Corps project studies, $9 million less than in FY 2000 and $16 million more than the president's request. The general investigations account provides funds for geographical surveys and feasibility studies to determine the costs and benefits of proposed projects and whether they can be completed within a budget or time constraint. The bill appropriates funds for studies in 44 states and American Samoa.

Construction. The measure allocates $1.4 billion for construction projects in 39 states and Puerto Rico, $7 million less than in FY 2000 and $32 million more than the president's request. Typical projects include building embankments, breakwaters, locks, and dams.

Mississippi River Flood Control. H.R.___ appropriates $323 million for flood control projects along the Mississippi River and its tributaries in Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, $14 million more than last year and $14 million more than the president's request.

General Operations and Maintenance. The bill provides $1.9 billion for general operation and maintenance projects in 50 states and the District of Columbia, equaling last year and the president's request. Typical activities include repairs, environmental impact studies, seismic studies, maintenance dredging, engineering, and other duties associated with normal maintenance and improvements to the nation's water resources.

Regulatory Program. The measure appropriates $125 million for salaries and related costs to enforce navigable waters and wetlands laws, $8 million more than last year and matching the president's request. The bill requires the Corps of Engineers to improve the analysis and public and congressional notification of the costs of regulatory programs nationwide permit modifications and permit processing time requests.

Formerly Utilized Sites Remedial Action Program (FUSRAP). In FY 1998, Congress transferred responsibility for cleanup of contaminated sites under FUSRAP to the U.S. Army Corps of Engineers. FUSRAP provides funds to cleanup radioactive contamination at non-federal nuclear weapons test sites. The bill fully funds the president's request of $140 million for FY 2001, $10 million less than in FY 2000.

General Expenses. The bill funds $150 million, equal to last year's funding and $2.5 million less than last year, for the office of the Chief of Engineers, the Corps' division offices, and certain research and statistical functions performed by Corps administrators.

Title II — Department of the Interior

The committee appropriates $770 million, $71 million less than the president's request and $36 million less than last year, to fund the Bureau of Reclamation, various restoration funds, and water construction programs.

Central Utah Project

H.R.___ provides $40 million, $1 million more than the FY 2000 level and matching the president's request, to complete the Central Utah Conservancy District projects as prescribed by the Central Utah Project Completion Act (*P.L. 102-575*). The Central Utah project constructs reservoirs and aqueducts to divert water from the Colorado River to cities in central Utah.

Bureau of Reclamation (BuRec)

The measure provides $731 million for BuRec in FY 2001, $36 million less than in FY 2000 and $71 million less than the president's request. BuRec is the largest supplier and manager of water in the western United States. The bureau reports that it provides water to approximately 31 million people, generates around 60 billion kilowatt-hours of energy from hydroelectric power each year, and delivers irrigation water to approximately 10 million acres of farmland. BuRec's assets include 345 reservoirs, 52 hydroelectric power plants, and over 300 recreation sites.

Water and Related Resources. BuRec has consolidated the general investigations, construction program, and operation and maintenance accounts into a water and related resources budget category. The bill provides $636 million for this category, $28 million more than the FY 2000 level and $7 million less than the president's request.

Central Valley Project Restoration Fund. The bill provides $38 million, equal to the president's request but $4 million less than last year, for the Central Valley Project Restoration Fund. Established by the 1992 Central Valley Project Improvement Act (*P.L. 102-575*), the fund collects irrigation surcharges from farmers using Central Valley Project (CVP) water to pay for improvements to fish and wildlife habitats damaged by the CVP in California.

Policy and Administration. The bill provides $47 million, same as last year and $3 million less than the president's request, to provide executive direction and management of all Reclamation activities.

Title III — Department of Energy (DOE)

Department of Energy Programs, FY 2001

Appropriation Account	FY 2000 Level	President's Request	**FY 2001 Proposal**	% Change from Last Year	% Change from Request
	(in millions)		(in millions)		
Energy Supply, Research and Development	$638.0	$752.9	$576.5	-9.6%	-23.4%
Non-Defense Environmental Mgt.	$332.4	$286.0	$281.0	-15.5%	-1.7%
Uranium Enrich. Decontamination and Decommissioning Fund	$249.2	$303.0	$0.0	-100.0%	-100.0%
Uranium Facilities Maintenance	$0.0	$0.0	$301.4	100%	+100.0%
General Science and Research	$2,787.6	$3,151.1	$2,830.9	+1.6%	-10.2%
Nuclear Waste Disposal Fund	$239.6	$325.5	$213.0	-11.1%	-34.6%
Env. Restoration & Waste Management					
Defense	($5,716.0)	($6,148.8)	($5,864.0)	+2.6%	-4.6%
Non-Defense	($581.6)	($589.0)	($582.4)	+0.1%	-1.1%
Atomic Energy Defense Activities					
Natioal Nuclear Security Admin.	$5,833.8	$6,177.6	$6,164.8	+5.7%	-0.2%
Defense Enviornmental Management	$5,716.0	$6,148.8	$5,864.0	+2.6%	-4.6%
Other Defense Activities	$309.2	$555.1	$592.2	+91.5%	+6.7%
Defense Nuclear Waste Disposal	$111.6	$112.0	$200.0	+79.3%	+78.6%
Energy Employees Comp Initiative	$0.0	$17.0	$0.0	0.0%	-100.0%
Departmental Administration (net)	$98.7	$84.6	$42.5	-56.9%	-49.7%
Office of Inspector General	$29.5	$33.0	$31.5	+6.8%	-4.5%
Power Marketing Administrations	$261.4	$199.6	$195.6	-25.2%	-2.0%
Federal Energy Regulatory Comm.					
Salaries and Expenses	$175.0	$175.2	$175.2	+0.1%	0.0%
Revenues Applied	-$175.0	-$175.2	-$175.2	+0.1%	0.0%
TOTALS	$16,606.9	$18,146.2	$17,293.4	+4.1%	-4.7%

Source: House Appropriations Committee

H.R.___ provides $17.3 billion for the Department of Energy, $687 million more than FY 2000 and $853 million lower than the president's request. The National Nuclear Security Administration (NNSA) was authorized in last year's defense authorization (*P.L. 106-65*). The NNSA is responsible for maintaining the nuclear weapons stockpile, supporting international nonproliferation programs, and funds the naval reactor program.

Established in 1977, DOE is responsible for formulating and overseeing the nation's energy policy. It receives funding from both the Interior and the Energy & Water Appropriations bills. The bill provides funds for DOE research and development, uranium production, nuclear waste disposal, defense-related nuclear activities, the regional Power Marketing Administrations (PMAs), and other programs.

The bill makes a number of funding reductions to eliminate what the committee identifies as wasteful spending at the agency. This year the committee limited contractor travel to $150 million and limited the number of M&O contractor employees. Also, this year, the department is directed to submit a report on the use of all support service contractors and M&O contractor employees assigned to the Washington metro area.

Energy Supply Activities

The bill appropriates $576 million, $61 million less than last year and $176 million less than the president's request, for solar and other renewable energy programs, advanced nuclear technologies, environmental, and safety and health programs.

Renewable Energy Programs. The measure decreases the appropriation for solar and renewable energy programs by $12 million from FY 2000 to $351 million, $106 million less than the president's request. This account funds research into solar water heating building technology, of solar power conversion, biomass/biofuels energy systems, wind energy systems, hydropower, and various other programs.

Nuclear Energy Programs. The bill provides $231 million, $76 million less than the request, for civilian reactor research, space and defense power systems, and civilian nuclear waste R&D. These programs address the entire spectrum of nuclear issues including safety, efficiency, and advanced fuels.

Environment, Safety, and Health. The measure allocates $35 million, $5 million less than the president's request, for programs to ensure the safety of DOE workers and the public, as well as the protection of DOE property and the environment.

Non-Defense Environmental Management

The bill provides $281 million for DOE's non-defense activities dealing with radioactive/hazardous waste and improvements to wastewater treatment plants, groundwater restoration, and construction of hazardous waste facilities ($51 million less than in FY 2000 and $5 million less than the president's request).

Uranium Facilities Maintenance and Remediation

The bill provides $301 million to support various uranium programs. This is a new account that was created by merging the Energy Supply and the Uranium Enrichment Decontamination and Decommissioning Fund accounts.

Science

The measure provides $2.8 billion for high energy and nuclear physics, technology research, basic energy sciences, biological and environmental research, and other energy research, which where formerly part of the energy research and development category. The bill provides $43 million more than FY 2000 and $320 less than the president's request. This measure does not provide advanced appropriations for the Spallation Neutron Source as the administration requested, but does provide $118 million for this fiscal year.

High Energy Physics. H.R.___ provides $715 million, matching the president's request and $7 million more than FY 2000, for research devoted to understanding subatomic matter.

Nuclear Physics. The bill provides $370 million, $18 million more than last year and matching the president's request, to research the structure and interactions of atomic nuclei.

Biological and Environmental Research. The bill provides $404 million for biological and environmental cleanup research, $38 million less than last year and $41 million less than the request.

Nuclear Waste Disposal Fund

The Nuclear Waste Disposal Fund was created to facilitate the construction and operation of a waste management system for the disposal of spent nuclear fuel and high-level radioactive waste from both commercial and defense-related atomic energy activities, and is financed through the collection of fees from the owners and generators of the waste. This program is appropriated at a level of $413 million, $63 million more than last year and $25 million less than the president's request. These additional funds will be used to keep the program on schedule. Currently, waste is stored at 109 commercial nuclear reactors, as well as at temporary DOE storage facilities throughout the country. In 1987, Congress designated and began preliminary studies on a permanent, consolidated disposal site at Yucca Mountain, in the Nevada desert. Originally, the facility was supposed to be ready to receive waste by 1998. Numerous delays, however, have pushed that date back to around 2010.

This year, a series of decisions will be made regarding whether the high-level nuclear waste repository should be sited at Yucca Mountain. If the site is found to be suitable and if the DOE Secretary decides to recommend the site for repository development, a Site Recommendation Report will be written and submitted to the president in FY 2001. If Congress and the president accept the recommendation, then a license will be submitted to the NRC in FY 2002.

Departmental Administration

The bill provides $154 million—$52 million less than in FY 2000 and $60 million less than the president's request—which together with expected revenues of $111 million and an appropriation from a different account of $51 million will fund general management and program support functions to benefit all elements of DOE.

Office of the Inspector General

The measure allocates $32 million for department-wide audit, inspection, and incentive functions to correct administrative mismanagement, $2 million more than in FY 2000 and $2 million less than the president's request.

Atomic Energy Defense Activities

H.R.___ provides $12.8 billion for the Energy Department to pursue defense-related atomic energy activities, $850 million more than in FY 2000 and $190 million less than the president's request. Specific appropriations are detailed below.

National Nuclear Security Administration (NNSA). This new administration will be appropriated at $6.2 billion, $331 million more than last year and $13 million less than the president's request. This administration became effective on March 1, 2000, however the Department has been slow to institute the Congressionally mandated changes through legal obfuscation and evasion until recently. Currently, the missing Los Alamos computer hard drives incident and ongoing Congressional inquiry has resulted in the appointment of the new head of the NNSA, Gen. John Gordon, after a lengthy delay by a Democratic "hold" in the Senate. Many feel that, once again, the lack of security and accountability should have been addressed sooner and also there should have been immediate implementation of the Congressionally mandated reforms and other security management suggestions.

* **Weapons Activities.** The measure appropriates $4.6 billion, $198 million more than last year and $32 million more than the president's request for various nuclear weapons activities. This account maintains confidence in the safety, security, reliability and performance of America's nuclear weapons' stockpile. Specifically, funds are used for (1) maintenance, R&D, engineering, and certification of the nuclear stockpile; (2) the three national labs, Nevada test site, weapons production plants, and selected external organizations; (3) the physical operations and infrastructure of the labs; (4) the transportation of weapons and materials; and (5) program direction.

* **Defense Nuclear Nonproliferation.** Consistent with the establishment of the new NNSA, the committee provides a separate account for this program and appropriates $861 million ($132 million more than last year and $45 million less than the request) for it. Specifically, the funds will be allocated to Nonproliferation and Verification R&D, Arms Control, International Materials Protection, Control and Accounting, the Long-term Nonproliferation Program for Russia, HEU Transparency Implementation, International Nuclear Safety, Fissile Materials Disposition, and Program Direction.

* **Naval Reactors.** Also, consistent with the establishment of the new NNSA, the committee provides a separate account for this program and appropriates $678 million, matching the president's request. This program is responsible for all aspects of naval nuclear propulsion—from technology development through reactor operations, and finally reactor plant disposal.

Defense Environmental Restoration and Waste Management. The bill provides $4.5 billion, $29 million less than the president's request and $55 million more than in FY 2000, for environmental clean-up at sites where DOE has carried out defense-related nuclear energy research resulting in radioactive, hazardous, and mixed-waste contamination. Of note, the committee directs that none of the environmental management funds may be used for economic development activities.

Defense Facilities Closure Projects. The bill provides $1.1 billion, $22 million more than last year and equaling the president's request, for the Defense Facilities Closure Projects account, which includes funding for sites that have established a goal of completing cleanup by FY 2006. After completing cleanup, no further departmental mission is envisioned, and the sites will be available for alternative uses.

Defense Environmental Management Privatization. The bill provides $259 million, $71 million more than last year and $256 million less than the president's request, for the Defense Environmental Management Privatization program. These funds pay for private-sector environmental clean up of various DOE sites.

Other Defense Activities. The measure provides $592 million, $283 million more than in FY 2000 and $37 million more than the president's request, for a variety of defense-related nuclear programs, including verification and control of nuclear technology, nuclear safeguards, security investigations and evaluations, the Office of Nuclear Safety, worker and community transition assistance, fissile materials control and disposition, emergency management, and naval reactor development.

Power Marketing Administrations

The bill appropriates $196 million, $66 million less than the FY 2000 level and $4 million less than the request, to fund operations and maintenance for Southeastern and Western Area Power Administration and the Falcon and Amistad hydroelectric facilities, operating and maintenance funds.

Title IV — Independent Agencies

Appalachian Regional Commission.

The bill provides $63 million, $3 million less than last year and $8 million less than the president's request, for the Appalachian Regional Commission (ARC). The ARC is a regional economic development agency representing a partnership of federal, state, and local governments. It was established in 1965 and is composed of the governors of the 13 Appalachian states and a federal co-chairman who is appointed by the president.

Defense Nuclear Facilities Safety Board

The bill provides $17 million, the same amount as last year and $1.5 million less than the president's request, for salaries and expenses of the Defense Nuclear Facilities Safety Board. Composed of five members appointed by the president, the board was created by the 1989 National Defense Authorization Act to provide advice and recommendations regarding public health and safety issues at DOE's defense-related nuclear facilities.

Nuclear Regulatory Commission (NRC)

The bill appropriates $25 million (net) for the NRC, which regulates and licenses commercial nuclear energy production. By law, the NRC must recover all funds appropriated to it, except those received from the Nuclear Waste Fund. This net appropriation is $9 million less than the president's request and is $2 million higher than last year. The bill directs the commission to write monthly reports detailing its licensing and regulatory duties.

Nuclear Waste Technical Review Board

The bill provides $3 million for the board to evaluate the technical and scientific validity of the DOE's nuclear waste disposal activities.

Title V — General Provisions

H.R.___ includes a number of general provisions. Specifically, the measure (1) prohibits the use of pending appropriations from being used in any way, directly or indirectly, to influence congressional action on any legislation pending before Congress; (2) requires that agencies receiving funds from the bill to purchase only American-made products to the greatest possible extent; (3) extends for one-year the authority of the NRC to collect fees and charges to offset appropriated funds; and (4) prohibits the use of funds for proposing or issuing rules or regulations to implement or prepare to implement the Kyoto Protocol.

Costs/Committee Action:

Enactment of H.R.___ will result in discretionary outlays of $13.9 billion in FY 2001, $6.7 billion in FY 2002, $1.1 billion in FY 2003, $89 million in FY 2004, and $14 million in FY 2005 and beyond.

The Appropriations Committee reported the bill by voice vote on June 20, 2000.

Other Information:

"Appropriations for FY 2001: Energy and Water Development," *CRS Report RL 30507* May 10, 2000.

Brendan Shields, 226-0378

Quality Health-Care Coalition Act of 1999

H.R. 1304

Committee on the Judiciary
H. Rept. 106-625
Introduced by Mr. Campbell *et al.* on March 25, 1999

Floor Situation:

The House is scheduled to consider H.R. 1304 the week of June 26, 2000. A description of the rule and any amendments made in order to the bill will be available in the *FloorPrep* prior to its consideration on the House floor.

Summary:

The bill applies the federal antitrust laws to negotiations between groups of health care professionals and health plans and health insurance issuers in the same manner that these laws apply to collective bargaining by labor organizations under the National Labor Relations Act. The bill, as reported by the Committee, places health care professionals who are engaged in negotiations with a health plan regarding the terms of any contract for goods or services on the same status as union employees who negotiate wage and working conditions with their employers. The bill provides protections to health care professionals from liability for good faith actions and is effective for three years after which it will be reviewed to determine whether it should be extended..

Background:

Most Americans receive their health care services through large, managed health care plans, however, serious questions have arisen about the quality and cost of the health care patients are receiving under these plans. More problematic is the concentration of the health care industry in recent years. During the past decade there have been more than 162 mergers of health care providers. Adding to this concentration within the industry is the McCarran-Ferguson Act which provides that "No Act of Congress shall be construed to invalidate, impair or supersede any law enacted by any State for the purpose of regulating the business of insurance…unless such Act specifically relates to the business of insurance." The result of this law is that most regulation of the insurance industry has been left to the states and provides increased opportunities for insurance companies to exercise market power over both patients and their doctors and other health care providers. So while the antitrust laws may not specifically relate to the McCarran-Ferguson Act, existing case law suggests that the Act does not either permit or authorize insurance companies to merge or acquire or maintain market power.

The antitrust laws exempt the labor of "a human being" and specifically authorize the formation and existence of labor unions. Under the National Labor Relations Act (29 U.S.C. 157) and sections of the Norris-LaGuardia Act (29 U.S.C. 101-115) employees are granted collective bargaining rights which permits them to negotiate with their employers. H.R. 1304 extends this "authorization" or exemption from the antitrust laws to non-employee, independent physicians and other health-care professionals. It creates a legal fiction that for purposes of joint negotiations with non-federally affiliated health care plans, physicians and other health-care providers are "employees" as recognized under the federal labor laws (NLRB Act). There is one difference in that H.R. 1304 expressly does "not confer any right" to participate in any collective cessation of service to patients (section 2(c)(1)). It also protects good faith actions by those negotiating from any civil or criminal liability under the antitrust laws (section 3(b)). There is no limitation on the subjects that may be negotiated so fees could be a part of negotiations with health plans although some state laws impose certain limitations. The negotiating authority granted by H.R. 1304 sunsets in 3 years after which the General Accounting Office is to study the impact of the legislation and make recommendations with regard to its continuation.

Costs/Committee Action:

The Congressional Budget Office (CBO) performed an extensive analysis of H.R. 1304 and its potential costs. The entire CBO analysis is set forth in the Committee report (H.Rept. 106-625). CBO estimates that federal tax revenues would fall by $145 million in 2001 and by a total of $3.6 billion over the period of 2001-2010. The bill directly affects spending and revenues of the federal government, thus pay-as-you-go procedures would apply.

The Committee ordered the bill reported on March 30, 2000 by a vote of 26-2.

Eric Hultman, 226-2304

FY 2001 Agriculture Appropriations Act

H.R. 4461

Committee on Appropriations
H.Rept. 106-619
Submitted by Mr. Skeen on May 16, 2000

Floor Situation:

The House is scheduled to consider H.R. 4461 during the week of June 26, 2000. The Rules committee will consider a rule during the course of the week. Additional information on the rule and amendments will be provided in a *FloorPrep* prior to floor consideration.

Highlights:

H.R. 4461 appropriates $75.3 billion in new FY 2001 budget authority for agriculture programs, $524 million less than last year and $1.8 billion less than the president's request. The bulk of the mandatory spending goes toward (1) food stamps ($21.2 billion), (2) the Food and Drug Administration ($1.2 billion), (3) child nutrition programs ($9.5 billion), (4) the Federal Crop Insurance Corporation ($1.7 billion), and (5) the supplemental nutrition program for Women, Infants, and Children (WIC, $4 billion).

In addition, the bill increases funding for Farm Service Agency salaries and expenses by $34 million, for agriculture credit programs by $1.4 billion, Rural Housing loan authorizations by $484 million, and there is a new $35 million increase through a Special Supplemental Nutrition Program for the Women, Infants and Children (WIC) program.

Background:

The U.S. Department of Agriculture (USDA) carries out a wide variety of responsibilities through approximately 30 separate internal agencies staffed by some 100,000 employees. Agriculture appropriations fund agricultural research, marketing and export efforts, commodity price and income supports, production adjustment programs, crop and disaster insurance, subsidized farm loans, conservation activities, health and safety-related research and inspections, rural development programs, international food aid, domestic food programs (e.g., food stamps and school lunches), and the administrative expenses of operating the USDA. The funds appropriated to USDA represent about five percent of total federal government spending.

The 1996 Federal Agricultural Improvement and Reform (FAIR) Act (*P.L. 104-127*), reauthorized and restructured existing farm programs over seven years to provide seven-year production and market-transition contracts to farmers in place of previously-offered crop subsidies. Additionally, FAIR reduced direct federal government management of farmland in exchange for allowing farm owners greater flexibility to enroll their land in conservation programs.

Provisions:

FY 2001 Agriculture Appropriations

Bill Title	FY 2000 Level (in millions)	President's Request (in millions)	**FY 2001 Proposal** (in millions)	% Change from Last Year	% Change from Request
Title I--Agriculture Programs	$35,436.3	$34,740.3	$34,484.0	-2.7%	-0.7%
Title II--Conservation Programs	$804.2	$878.0	$812.8	+1.1%	-7.4%
Title III--Rural Economic and Community Development Prog.	$2,187.5	$2,587.6	$2,350.7	+7.5%	-9.2%
Title IV--Domestic Food Prog.	$35,044.1	$36,264.7	$35,230.4	+0.5%	-2.9%
Title V--Foreign Asst. Prog.	$1,055.7	$1,090.8	$1,049.4	-0.6%	-3.8%
Title VI--Related Agencies	$1,112.0	$1,283.3	$1,171.3	+5.3%	-8.7%
Title VII--General Provisions	$2.3	$0.0	$4.0	+77.8%	—-
Title VII--Emergency Appropriations	$8,670.5	$0.0	$0.0	—-	—-
Committee Totals	$84,312.5	$76,844.6	$75,102.5	-10.9%	-2.3%

Source: House Appropriations Committee

Title I — Agriculture Programs

H.R. 4461provides almost $34.4 billion for agricultural programs in FY 2001**,** $952 million less than FY 2000 and $256 million less than the president's request.

Office of the Secretary

The bill appropriates $2.8 million for the Agriculture Secretary, an increase of $1,000 above the FY 2000 level and $78,000 less than the president's request.

Executive Operations and Various Other Administrative Expenses

The bill appropriates $124 million for various offices and administrative functions within USDA, including:

* $6.4 million for the **Office of the Chief Economist**, which is equal to the FY 2000 level and $2.2 million less than the president's request. The Chief Economist advises the Agriculture Secretary on the economic implications of USDA policies and programs and serves as the focal point for the nation's economic intelligence and analysis, risk assessment, and cost-benefit analysis related to domestic and international food and agriculture;

* $11.7 million for the **National Appeals Division**, which is $11,000 above the FY 2000 level and $892,000 less than the president's request. The division conducts administrative hearings and reviews adverse program decisions;

Title I — Agricultural Programs

Appropriations Account	FY 2000 Level (in millions)	President's Request (in millions)	**FY 2001 Proposal** (in millions)	% Change from Last Year	% Change from Request	
Office of the Secretary	$15.4	$2.9	$2.8	-81.6%	-2.7%	
Executive Operations	$35.5	$124.1	$64.5	+81.7%	-48.0%	
Outreach for Socially Disadvantaged Formers	$3.0	$10.0	$3.0	0.0%	-70.0%	
Departmental Administration	$34.7	$40.7	$34.7	0.0%	-14.8%	
Office of Communications	$8.1	$9.0	$8.1	0.0%	-9.9%	
Office of Insector General	$65.1	$70.2	$65.1	0.0%	-7.3%	
Office of General Counsel	$29.2	$32.9	$29.2	0.0%	-11.2%	
Office of the Assist. Sec. for Cong. Relations	$3.6	$3.8	$3.7	+2.8%	-2.9%	
Miscellaneous Offices	$52.5	$39.3	$39.3	-25.1%	0.0%	
USDA Buildings & Facilities	$140.3	$182.7	$150.3	+7.1%	-17.7%	
Haz. Waste Management	$15.7	$30.1	$15.7	0.0%	-47.8%	
Economic Research Service	$65.4	$55.4	$66.4	+1.6%	+19.8%	
Nat'l Agric. Statistics Service	$99.3	$100.6	$100.9	+1.5%	+0.2%	
Agricultural Research Service	$830.4	$894.3	$850.4	+2.4%	-4.9%	
CSREES	$945.6	$965.3	$945.8	+0.0%	-2.0%	
Office of Undersec. For Marketing and Reg.	$0.6	$0.6	$0.6	0.0%	-2.7%	
Agricultural Marketing Service	$65.1	$81.5	$71.3	+9.4%	-12.6%	
Animal & Plant Health Inspection Service	$443.0	$517.6	$475.2	+7.3%	-8.2%	
Grain Inspection Admin.	$26.4	$33.5	$27.8	+5.2%	-17.1%	
Office of Undersec. for Food Safety	$0.4	$0.6	$0.4			
Food Safety & Inspection Svc.	$649.1	$688.2	$673.8	+3.8%	-2.1%	
Risk Management Agency	$64.0	$67.7	$67.7	+5.8%	0.0%	#
Farm Service Agency	$1,094.0	$1,287.8	$1,286.8	+17.6%	-0.1%	
Office of Undersec. for Farm and Foreign Ag. Services	$0.6	$0.6	$0.6	0.0%	0.0%	
Support Services Bureau	$0.0	$0.0	$0.0	—-	0.0%	
Agriculture Credit Insurance	$296.2	$455.0	$455.0	+53.6%	0.0%	
Federal Crop Insurance Corp.	$710.9	$1,727.7	$1,727.7	+143.0%	0.0%	
Commodity Credit Corp.	$30,037.1	$27,771.0	$27,771.0	-7.5%	0.0%	
Total, Title I Programs	$35,436.3	$34,740.3	$34,484.0	-2.7%	-0.7%	

Source: House Appropriations Committee

* $6.6 million for the **Office of Budget and Program Analysis**, wich is equal to the FY 2000 level and $184,000 less than the president's request. The Office of Budget and Program Analysis directs the USDA's budgetary functions, analyzes program and resource issues, and coordinates preparing and processing regulations and legislative programs;

* $10 million, $4 million more than the FY 2000 level and $4.6 million less than the president's request, for the **Office of Chief Information Officer** to provide policy guidance, leadership, expertise, and direction in the department's information management and technology activities;

* $4.7 million, equal to the FY 2000 level and $1.7 million less than the president's request, for the **Chief Financial Officer** to provide leadership and expertise in developing department and agency programs in financial management, accounting, travel, and performance;

* $25 million for a **common computing environment**, $12 million more than FY 2000 and $50 million below the president's request;

* $34.7 million for **departmental administration**, the same amount as FY 2000 and $6 million below the president's request, to provide staff support to top policy officials and overall direction and coordination of the department. Such activities include department-wide programs for human resource management and emergency preparedness;

* $150 million for **agriculture buildings, facilities, and rental payments**, $10 million more than FY 2000 and $32.4 million below the president's request;

* $29 million for the **Office of the General Counsel**, equal to the FY 2000 level and $3.6 million less than the president's request, for all legal work arising from USDA's activities;

* $65 million for the **Office of the Inspector General**, equal to last year's level and $5.1 million less than the president's request, to direct audit and investigative activities within the USDA;

* $540,000 for the **Office of the Under Secretary for Research, Education, and Economics**, the same as FY 2000 and $816,000 less than the president's request;

* $15.7 million, equal to FY 2000 and $14 million below the president's request, for **hazardous waste management** on waste storage sites within USDA jurisdiction.

The bill also provides funds at approximately the same level as last year for several administrative programs, including: (1) $613,000 for the Assistant Secretary for Administration; (2) $560,000 for the Under Secretary for Food Safety; (3) $8.1 million for the Office of Communications; (4) $3.6 million for the Office of the Assistant Secretary for Congressional Relations to maintain liaison with Congress and the White House; (5) $635,000 for the Under Secretary for Marketing and Regulatory Programs; (6) $3 million for outreach for socially disadvantaged farmers; and (7**)** $589,000 for the Under Secretary for Farm an Foreign Agricultural Services.

Economic Research Service (ERS)

The bill appropriates $66.4 million for ERS, $1 million more than FY 2000 and $10.9 million more than the president's request. This includes money to research the effectiveness of the food stamp and WIC programs. ERS also provides economic and social science data and analysis for public and private decisions on agriculture, food, natural resources, and rural America.

National Agricultural Statistics Service (NASS)

The bill provides $100.8 million for NASS, $1.5 million more than FY 2000 and $236,000 above the president's request. NASS collects and publishes current agricultural statistics to help in making effective policy, production, and marketing decisions. Included in this amount is $15 million for the Census of Agriculture, which collects and provides comprehensive data every five years on all aspects of the agricultural economy.

Agricultural Research Service (ARS)

The bill provides almost $850.4 million for ARS, $20 million more than FY 2000 and $43.8 million less than the president's request. Created in 1953, ARS researches livestock, plant science, entomology, soil and water conservation, agricultural engineering utilization and development, and nutrition and consumer use. This account funds individual research projects, building maintenance costs for national research laboratories, and the salaries of ARS researchers. The bill also provides $39.3 million for ARS buildings and facilities.

Cooperative State Research, Education, and Extension Service (CSREES)

The bill provides $945.8 million for CSREES, $236,000 more than FY 2000 and $19,463 less than the president's request. CSREES was created in 1994 by merging the Cooperative State Research Service and the Extension Service. It works with university partners to advance research, extension, and higher education in the food and agricultural sciences and related environmental and human sciences to benefit individuals, communities, and the nation. Programs within the service are detailed below.

Research and Education. The bill appropriates $477.5 million for CSREES research and education activities, $16.6 million more than FY 2000 and $4.3 million more than the president's request, to administer agriculture research and higher education carried out by the State Agriculture Experiment Stations.

Native American Institutions Endowment Fund. The bill provides $7.1 million, 2.5 million more than the FY 2000 level and equal to the president's request, for the new Native American Institutions Endowment Fund, which supports student recruitment and retention, curriculum development, faculty preparation, and the purchase of scientific equipment at 29 tribally-owned land grant institutions. Each year, 60 percent of the interest from this endowment will be distributed among the land grant institutions on a pro rata basis (based on the Native American student count), and the remaining 40 percent will be distributed in equal shares to the institutions.

Extension Activities. The bill appropriates $428.7 million for extension activities, $4.5 million more than FY 2000 and $504,000 more than the president's request. Extension activities provide instruction and demonstrations in agricultural and home economics and related subjects. The service also provides nutrition training to low-income families, 4-H Club work, and educational assistance such as community resource development.

Animal and Plant Health Inspection Service (APHIS)

The bill appropriates $475.2 million for APHIS, $32.2 million more than FY 2000 and $42.4 million less than the president's request. APHIS protects the nation's animal and plant resources from pests and disease by conducting inspections and quarantines at U.S. ports of entry, providing scientific and technical services, and overseeing animal damage control programs.

Agricultural Marketing Service (AMS)

The bill provides $71.2 million for AMS, $6.1 million more than FY 2000 and $10.2 million less than the president's request. Created in 1972, the AMS provides market news reports, develops quality grade standards, administers USDA's laboratory accreditation program, and advances orderly and efficient marketing, distribution, and transportation of products from the nation's farms. In addition, the bill prohibits the USDA from disallowing participation by farmer-owned cooperatives in the commodity purchase program.

Grain Inspection, Packers and Stockyards Administration (GIPSA)

The bill appropriates $27.8 million for GIPSA, $1.3 million less than the FY 2000 level and $5.7 million under the president's request. GIPSA was created by the merger of the Federal Grain Inspection Service and the Packers and Stockyard Administration in 1994. It inspects, grades, and weighs various kinds of grain; grades dry beans, peas, and processed grain products; and monitors competition in order to protect producers, consumers, and industry from deceptive and fraudulent practices which affect meat and poultry prices.

Food Safety and Inspection Service (FSIS)

The bill provides $673.7 million for FSIS, $24.6 million more than FY 2000 and $14.4 million below the president's request. Created in 1981, FSIS assures that meat, poultry, and egg products (domestic and foreign) meet federal quality, labeling, and packaging standards.

Farm Service Agency (FSA)

The bill appropriates $1.2 billion for the Farm Service Agency, $192 million more than FY 2000 and $1 million under the president's request.

Created in 1994 by the Department of Agriculture Reorganization Act (DAGRA) as the Consolidated Farm Service Agency, the name was shortened in 1995. FSA administers the commodity price support and production adjustment programs financed by the Commodity Credit Corporation, the warehouse examination function, several conservation programs (see Title II) formerly performed by the Agricultural Stabilization and Conservation Service, and farm and disaster assistance loans from the former Farmers Home Administration.

The agency also conducts the Dairy Indemnity Program, which receives $450,000 for FY 2001. The Dairy Indemnity Program compensates dairy farmers and manufacturers who suffer losses from the removal of their milk from commercial markets due to product contamination by registered pesticides.

Agricultural Credit Insurance Fund (ACIF)

The bill provides $455 million—$158 million more than FY 2000 and equal to the president's request—to support $4.5 billion in loans to farmers and ranchers. This appropriation includes $18 million in farm ownership loans, $129 million in farm operating loans, and $269 million for salaries and administrative expenses. ACIF loans help producers (1) acquire, enlarge, and improve property; (2) purchase livestock, feed, equipment, seed, fertilizer, and other supplies, (3) refinance their debts, (4) take steps to conserve soil and water, and (5) recover from natural disasters. ACIF also makes loans to Indian tribes to help them acquire lands within their reservation.

Risk Management Agency (RMA)

The measure provides $67.7 million, $3.7 million more than FY 2000 and the same as the president's request, for the RMA. RMA manages program activities in support of the federal crop insurance program to provide actuarially sound crop insurance policies.

Federal Crop Insurance Corporation Fund

The bill provides $1.7 billion for the Federal Crop Insurance Corporation Fund, $1 billion more than FY 2000 and equal to the president's request. Through programs administered by the 1994 Department of Agriculture Reorganization Act (DAGRA), insurable crop producers are eligible to receive a basic level of protection against catastrophic losses, which covers 50 percent of the normal yield at 55 percent of the expected price. Producers pay $60 per policy, $200 for all crops grown in a county, with a cap of $600 per producer. Any producer who opts for catastrophic coverage may purchase additional insurance coverage at a subsidized rate. The federal crop insurance program is administered by the Risk Management Agency.

Most policies are sold and completely serviced through approved private insurance companies that are reinsured by USDA. The USDA absorbs a large percentage of the program losses, compensates the reinsured companies for a portion of their delivery expenses, and also subsidizes the premium paid by participating producers. Program losses and the premium subsidy are mandatory expenditures which are funded through the Federal Crop Insurance Fund. Because crop losses caused by natural disasters are impossible to predict, outlays of the fund are difficult to budget. Hence, the bill provides "such sums as are necessary" in the annual appropriations bill.

Commodity Credit Corporation (CCC)

The bill provides $27 billion for the CCC, $2.2 billion less than FY 2000 and equal to the president's request, to reimburse the CCC for net realized losses.

Created in 1933, the CCC is a government-owned entity for financing production adjustment programs, as well as price supports, for numerous commodities such as grains, cotton, milk, sugar, peanuts, wool, and tobacco. Its aim is to stabilize, support, and protect farm income and prices; assist in maintaining balance and adequate supply of such commodities; and facilitate their orderly distribution. The CCC serves as a funding mechanism for several USDA export subsidy programs, including the export enhancement program, export credit guarantees, and the market assistance program, and for an array of conservation programs, including the conservation reserve program, the wetlands reserve program, and the environmental qualities incentive program.

The CCC is managed by a board of directors appointed by the president and confirmed by the Senate, subject to general supervision and direction by the Agriculture Secretary. Because most of the CCC's activities are mandatory spending programs, they do not require annual appropriations. The corporation borrows money from the Treasury to fund its operations. However, because total CCC outstanding borrowing cannot exceed $30 billion, the annual appropriations bill usually contains funding to reimburse net realized losses (i.e., outlays) so the CCC does not exhaust its borrowing authority.

Title II — Conservation Programs

Title II — Conservation Programs

Appropriation Account	FY 2000 Level	President's Request	**FY 2001 Proposal**	% Change from Last Year	% Change from Request
	(in millions)		(in millions)		
Office of the Undersecertary	$0.7	$0.7	$0.7	0.0%	-2.5%
Natural Resources Cons. Ser	$803.5	$877.3	$812.1	+1.1%	-7.4%
TOTALS	$804.1	$878.0	$812.8	+1.1%	-7.4%

Source: House Appropriations Committee

Office of the Under Secretary for Natural Resources and Environment

The bill provides $693,000, equal to the FY 2000 level and $18,000 less than the president's request, to the Office of the Under Secretary for Natural Resources and Environment to provide direction and coordination in carrying out laws concerning natural resources and the environment.

Natural Resources Conservation Service (NRCS)

The bill provides $812 million, $8.6 million more than FY 2000 and $65.1 million less than the president's request, for the NRCS. Created by the 1994 Department of Agriculture Reorganization Act (DAGRA), NRCS combines the former Soil Conservation Service and three natural resource conservation cost-share programs previously run by the Agricultural Stabilization and Conservation Service. It works together with conservation districts, watershed groups, and federal and state agencies to aid agricultural production on a sustained basis and reduce damage caused by floods, sedimentation, and pollution. Activities include the following programs:

Conservation Operations. The bill provides $676.8 million to sustain agricultural productivity and protect and enhance the natural resource base, $16 million more than FY 2000 and $70 million less than the president's request.

Watershed Surveys and Planning. The bill provides $10.8 million—$500, 000 more than FY 2000 and the president's request—to fund investigations and surveys of watersheds and other waterways.

Watershed and Flood Prevention Operations. The bill provides $83.4 million—$8.2 million less than the FY 2000 level and equal to the president's request—to facilitate cooperation between the federal government and states to prevent erosion, flood-water, and sediment damage in watersheds, rivers, and streams and to further the conservation, development, utilization, and disposal of water.

Resource Conservation and Development. The bill provides $41 million—$5.7 million more than FY

2000 and $4.7 million over to the president's request—for conservation programs including Resource Conservation and Development Program, to assist local groups in conserving land and other resources.

Title III — Rural Economic and Community Development Programs

The 1994 Department of Agriculture Reorganization Act (DAGRA) abolished several programs and agencies funded under this title in FY 1995, including the Farmers Home Administration, the Rural Development Administration, and the Rural Electrification Administration, and replaced them with the Rural Housing Service, Rural Business-Cooperative Service, and Rural Utilities Service. The bill appropriates $2.4 billion, $220 million more than FY 2000 and $179 million less than the president's request, for these accounts:

Title III — Farm and Rural Development Programs

Appropriation Account	FY 2000 Level	President's Request	**FY 2001 Proposal**	% Change from Last Year	% Change from Request
	(in millions)		(in millions)		
Office of the Undersecretar	$0.6	$0.6	$0.6	0.0%	-2.8%
Rural Community Advance.	$693.6	$762.5	$775.8	+11.9%	+1.7%
Rural Housing Service	$1,332.0	$1,536.2	$1,383.4	+3.9%	-9.9%
Rural Bus. Coop. Service	$54.0	$56.9	$38.2	-29.2%	-32.8%
Rural Utilities Service	$107.3	$100.9	$89.4	-16.7%	—-
TOTALS	$2,187.5	$2,457.2	$2,287.5	+4.6%	-6.9%

Source: House Appropriations Committee

Under Secretary for Rural Economic and Community Development

The bill appropriates $588,000 for the under secretary, who provides direction and coordination in carrying out laws concerning the department's rural economic and community development activities. This amount is equal to the FY 2000 level and $17,000 less than the president's request.

Rural Community Advancement Program (RCAP)

The measure provides $775 million—$82 million more than FY 2000 and $13 million more than the president's request—for the RCAP, which consolidates funding for various waste and water disposal programs, distributes grants to rural businesses and enterprises. The program was authorized by the 1996 Federal Agriculture Improvement and Reform Act (FAIR). The bill allows state rural development directors to transfer up to 25 percent between projects, as long as such transfers do not result in more than 10 percent transferred nationally.

Rural Housing Service (RHS)

RHS was established in 1994. Its programs were previously administered by the Farmers Home Administration and the Rural Development Administration. The mission of the service is to improve the quality of life in rural America by assisting rural residents and communities in obtaining adequate and affordable housing and access to needed community facilities. Amounts appropriated for specific RHS programs are discussed below.

Rural Housing Insurance Fund Program Account. The bill appropriates $1.2 billion—the $88.9 million more than FY 2000 and $135 million less than the president's request—to support $5 billion in rural housing loans. This sum includes $254 million in direct loan subsidies, $7.4 million in guaranteed loan subsidies, and $375.8 million for administrative expenses. Created in 1965, RHFP makes (1) rural housing loans to farm owners, owners of other real estate in rural areas, and long-term farm leaseholders to build, improve, alter, repair, or replace houses, barns, silos, and other essential buildings; (2) rental housing loans (which must be repaid within 30 years) to individuals, corporations, and associations which provide moderate-cost rental housing to the elderly; and (3) farm labor housing loans to farm owners and private organizations to provide modest living quarters for domestic farm labor. The program is limited to rural areas with populations less than 20,000.

Rental Assistance Program. The bill provides $655.9 million—$15.9 million more than the FY 2000 level and $24.1 million less than the president's request—to help low-income families living in RHS-financed rental and farm labor housing projects pay their rent. Tenants must contribute the higher of (1) 30 percent of their monthly adjusted income, (2) 10 percent of monthly income, or (3) designated housing payments from a welfare agency. The program makes direct payments to the project owner to cover the difference between this contribution and the approved rental rate.

Mutual and Self-Help Housing Grants. The bill provides $28 million for mutual and self-help housing grants, the same as FY 2000 and $12 million less than the president's request, for grants to local organizations under which groups of usually six to ten families build their own homes by mutually exchanging labor.

Rural Housing Assistance Grants. The bill provides $39 million, $12 million less than last year and equal to the president's request, for rural housing grants for domestic farm labor, very low-income housing repair grants, rural housing preservation grants, compensation for construction defects, direct community facility loans, guaranteed community facility loans and community facility grants.

Rural Business-Cooperative Development Service (RB-CDS)

The bill provides $38.2 million in overall funding for RB-CDS—$15.7 million less than FY 2000 and $18 million less than the president's request—for FY 2001. RB-CDS was created in 1995. Its programs were previously administered through the Rural Development Administration and the Rural Electrification Administration. The service enhances the quality of life for all rural residents by assisting new and existing cooperatives and other businesses through partnership with rural communities.

Rural Development Loan Fund Program Account. The bill provides $22.8 million—$2.8 million more than FY 2000 and $13.6 million lower than the president's request. Loans go toward improving business, industry, community facilities, and employment opportunities and diversification of the economy in rural areas.

Rural Economic Development Loans Program Account. The bill provides $3.9 million in direct subsidy to this account— $458,000 more than FY 2000 and equal to the president's—which supports $15 million in zero-interest loans to electric and telecommunications borrowers to promote rural economic development and job creation projects, including funding for feasibility studies, start-up costs, and other reasonable expenses for the purpose of fostering such development.

Rural Cooperative Development Grants. The measure provides $6.5 million—$500,000 more than FY 2000 and $5 million less than the president's request—for grants to improve economic conditions in rural areas.

Rural Utilities Service (RUS)

The RUS was created in 1994 by DAGRA to administer electric and telecommunications programs of the former Rural Electrification Administration as well as water and waste disposal programs of the former Rural Development Administration. The service's objective is to improve the quality of life in rural America by administering its electric, telecommunications, and water and waste disposal programs in a service-oriented, forward looking, and financially responsible manner. The bill provides $89 million overall, which is $17.8 million less than FY 2000 and $11.5 million less than the president's request.

Rural Electrification and Telephone Loans Program Account. The bill provides $64.3 million—$18 million more than FY 2000 and $4 million under the president's request—to support $2 billion in loans to maintain and expand electricity and telephone service in rural areas.

Rural Telephone Bank Program Account (RTB). The bill provides $3 million for administrative expenses (equal to FY 2000 and the president's request) and $2.6 million in direct loan subsidies ($700,000 less than last year, and equal to the president's request) for the RTB. The bill provides for a $175 million loan level.

Distance Learning and Telemedicine Grants and Loans. The bill provides $19.5 million—$1.2 million less than FY 2000 and $7.5 million less than the president's request—for this program, which provides facilities and equipment to link rural education and medical facilities with urban facilities to provide better health care through technology.

Title IV — Domestic Food Programs

Under Secretary for Food, Nutrition, and Consumer Services

The bill appropriates $554,000, the same as FY 2000 and $16,000 less than the president's request, for this account within the Food Program Administration (FPA). The office provides direction and coordination in carrying out the laws regarding food and consumer activities, and has oversight and management responsibilities for the Food, Nutrition and Consumer Service.

Food and Nutrition Service (FNS)

The bill appropriates $35.2 billion, $186 million more than FY 2000 and $1 billion less than the president's request, for FNS in FY 2001. This includes $116 million—$5 million more than FY 2000 and $12.1 million less than the president's request—to pay the salaries and other administrative expenses involved in administering the domestic food programs run by the FNS, as well as supporting the Center for Nutrition Policy and Promotion. Originally established in 1969, the Food Nutrition Service was renamed in 1994 pursuant to DAGRA. FNS-administered programs are described below.

Title IV — Domestic Food Programs

Appropriation Account	FY 2000 Level	President's Request	**FY 2001 Proposal**	% Change from Last Year	% Change from Request
	(in millions)		(in millions)		
Office of the Under Sec.	$0.6	$0.6	$0.6	0.0%	-2.8%
Child Nutrition Programs	$9,554.0	$9,546.1	$9,535.0	-0.2%	-0.1%
Commodity Assistance	$133.3	$158.3	$138.3	+3.8%	-12.6%
Women, Infants, and Children Program (WIC)	$4,032.0	$4,148.1	$4,067.0	+0.9%	-2.0%
Food Stamp Program	$21,071.8	$22,132.0	$21,232.0	+0.8%	-4.1%
Food Donation Program	$141.1	$151.1	$141.1	0.0%	-6.6%
Food Program Admin.	$111.4	$128.6	$116.4	+4.5%	-9.5%
TOTALS	$35,044.1	$36,264.7	$35,230.4	+0.5%	-2.9%

Source: House Appropriations Committee

Child Nutrition Programs. The bill provides $9.5 billion for child nutrition programs, which is $18.9 million less than FY 2000 and $11 million less than the president's request. This account includes the school breakfast and lunch programs, the Child and Adult Care Food Programs, summer food services, nutrition education and training programs and the Special Milk Program. In addition, the special milk program provides funding for milk service in schools, nonprofit child care centers, and camps which have no other federally-assisted food programs. The primary purpose of these programs is to improve the health and well-being of the nation's children and broaden markets for agricultural food commodities. Working through state agencies (in all 50 states, Puerto Rico, the Virgin Islands, and Guam), FNS provides both cash and foodstuffs to ensure that children receive at least one hot, nutritious meal each day.

Food Stamp Program. The bill appropriates $21.2 billion for the Food Stamp program, $160 million more than FY 2000 and $900 million less than the president's request. Established in 1964, this program is aimed at making more effective use of the nation's food supply and improving nutritional standards of needy persons and families by issuing assistance coupons which may use to purchase food in retail stores. All administrative costs associated with certifying recipients, issuing coupons, ensuring quality control, and holding hearings are shared by the federal government and the states on a 50-50 basis. Although food stamps is a mandatory entitlement program, it is subject to annual appropriations. That appropriation also includes a nutritional assistance block grant to Puerto Rico, authorized under the Omnibus Budget Reconciliation Act of 1981 (OBRA; *P.L. 97-35*), which gives the commonwealth broad flexibility in establishing a food assistance program that is specifically tailored to the needs of its low-income households.

Supplemental Nutrition Program for Women, Infants, and Children (WIC). The bill provides $4 billion for the WIC program, $35 million more than FY 2000 but $81.1 million less than the president's request. WIC safeguards the health of pregnant, postpartum, and breast-feeding women, infants, and children up to age five who are at nutritional risk by providing food packages designed to supplement each participant's diet with food that are typically lacking. Delivery of supplemental foods may be done through health clinics, vouchers redeemable at retail food stores, or other approved methods which a cooperating state health agency may select. In 1989, Congress enacted cost-containment measures to ensure that eligible participants would have access to these necessary services. It also established the WIC farmers' market nutrition program (FMNP) to (1) improve WIC participants' diets by providing them with coupons to purchase fresh foods, such as fruits and vegetables, from farmers markets; and (2) increase the awareness and use of farmers' markets by low-income households. Funds for the WIC program are provided by direct annual appropriation.

Food Donations Programs. The bill provides $141.1 million, equal to FY 2000 and $10 million less than the president's request, for food distribution programs targeted at special at-risk populations, including the elderly, needy individuals in the Pacific Island Territories, and Indians living on or near reservations who choose not to receive food stamps. Funding for the operation of this program, also know as Meals on Wheels, is contained in the Labor, Health and Humans Services appropriations bill.

Commodity Assistance Program (CAP). The bill provides $138 million, $5 million more than FY 2000 and $20 million less than the president's request for CAP. This account funds the Supplemental Food Program (CSFP), which provides supplemental foods to infants and children up to age six, and to pregnant, post-partum, and breast-feeding women with low incomes who reside in approved areas and administrative expenses for the Emergency Food Assistance Program (TEFAP), which provides commodities and grant funds to state agencies to assist in the cost of storing and distributing donated commodities to needy individuals.

Title V — Foreign Assistance and Related Programs

The bill provides $1 billion for foreign assistance and related programs, $6.3 million less than FY 2000 and $41.4 million less than the president's request.

Title V — Foreign Assistance And Related Programs

Appropriation Account	FY 2000 Level	President's Request	**FY 2001 Proposal**	% Change from Last Year	% Change from Request
	(in millions)		(in millions)		
Foreign Agricultural Service	$113.5	$117.9	$113.5	0.0%	-3.7%
Public Law 480 Food for Peace	$942.7	$973.4	$936.4	-0.7%	-3.8%
CCC Export Loans Program Account	$3.8	$3.8	$3.8	0.0%	0.0%
TOTALS	$1,059.9	$1,095.0	$1,053.6	-0.6%	-3.8%

Source: House Appropriations Committee

Foreign Agricultural Service (FAS)

The bill appropriates $113 million for FAS, equal to FY 2000 and $4.4 million under the president's request. FAS helps U.S. agricultural interests maintain and expand foreign markets through special export programs and by securing international trade conditions that are favorable to American products. It maintains a worldwide intelligence and reporting service that provides important information on foreign agricultural policies and market conditions, and coordinates, plans, and directs the USDA's programs in international development and technical cooperation in food and agriculture.

Public Law 480 (Food for Peace) Programs

The measure appropriates $980 million—$4 million more than FY 2000 and $37 million less than the president's request—for the three main programs under *P.L. 480*, which serve as the primary means for the U.S. provision of food assistance overseas. The bill allots:

* $159 million in direct loans and $20 million for ocean freight differential costs for Title I, which provides food commercially under long-term, low-interest loan terms;

* $800 million for grants under Title II, which provides food aid for humanitarian relief through private voluntary organizations or through multilateral organizations like the World Food Program. This funding is equal to FY 2000 level and $37 million less than the president's request; and

Commodity Credit Corporation (CCC) Export Loans

The bill provides $3.8 million—equal to FY 2000 and the president's request—for the CCC to guarantee commercial loans to finance U.S. agricultural export sales. Funds in this account are used to cover the lifetime subsidy cost associated with these commitments in 2000 and beyond, as well as administrative expenses.

Title VI — FDA and Related Agencies

The bill provides roughly $1.1 billion for the FDA and related agencies, $59 million more than FY 2000 and $112 million less than the president's request.

Title VI — Related Agencies and Food and Drug Administration

Appropriation Account	FY 2000 Level	President's Request	**FY 2001 Proposal**	% Change from Last Year	% Change from Request
		(in millions)			
Food and Drug Administration	$1,049.0	$1,211.3	$1,102.3	+5.1%	-9.0%
Commodity Futures Trading Commission	$63.0	$72.0	$69.0	+9.5%	-4.2%
TOTALS	$1,112.0	$1,283.3	$1,171.3	+5.3%	-8.7%

Source: House Appropriations Committee

Food and Drug Administration (FDA)

The bill appropriates $1.1 billion for the FDA, $53 million more than FY 2000 and $109 million less than the president's request. The FDA, which is part of the Department of Health and Human Services (HHS), ensures that (1) food is safe and wholesome, (2) human and animal drugs, biological products, and medical devices are safe and effective, and (3) radiological products and use procedures do not result in unnecessary exposure to radiation. Through its regulation of food, FDA protects and promotes the health of nearly every American by monitoring the food industry to safeguard against contamination by dangerous bacteria, molds, and other natural and man-made toxins, and by regulating the safe use of veterinary drugs and feed additives to protect consumers against hazardous drug residues or by products that may remain in meat. FDA also assures that the consumers are not victimized by adulteration, promotes informative labeling to assist consumers in choosing foods, and examines imported foods to ensure that they meet the same standards as domestic products.

Commodity Futures Trading Commission (CFTC)

The bill provides $69 million to the CFTC, $6 million more than FY 2000 and $3 million less than the president's request. The commission promotes the economic utility of futures and options markets for agricultural products and regulates the commodity futures industry and other commodities by increasing their efficiency, ensuring their integrity, and protecting participants against abusive trade practices.

Farm Credit Administration (FCA)

The measure allows $36.8 million for the FCA in FY 2001, $1 million more than FY 2000. The president requested no funding for this program. FCA is responsible for regulating, supervising, and examining the institutions of the Farm Credit System. These activities provide short- and long- term credit to our nation's farmers, ranchers, and producers of aquatic products.

Title VII — General Provisions

The bill includes several general provisions that were included in last year's appropriation. This includes $4 million for hunger fellowships, $2 million more than last year, and $115 million for apple and potato loss assistance. The president requested no funds for these programs.

The bill also contains an amendment, adopted in committee, that exempts food and medicine from unilateral trade sanctions. This enables U.S. producers to sell food and medicine to countries like North Korea, Libya and Cuba. The amendment, proposed by Mr. Nethercutt, also contains language that prevents the president from making any further food or medicinal sanctions without congressional approval.

Costs/Committee Action:

A CBO cost estimate was unavailable at press time.
The Appropriations Committee ordered the bill reported by voice vote on May 10, 2000.

Jennifer Lord, 226-7860